

105TH CONGRESS
2D SESSION

S. 1695

AN ACT

To authorize the Secretary of the Interior to study the suitability and feasibility of designating the Sand Creek Massacre National Historic Site in the State of Colorado as a unit of the National Park System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sand Creek Massacre
5 National Historic Site Study Act of 1998”.

1 **SEC. 2. FINDINGS.**

2 (a) FINDINGS.—Congress finds that—

3 (1) on November 29, 1864, Colonel John M.
4 Chivington led a group of 700 armed soldiers to a
5 peaceful Cheyenne village of more than 100 lodges
6 on the Big Sandy, also known as Sand Creek, lo-
7 cated within the Territory of Colorado, and in a run-
8 ning fight that ranged several miles upstream along
9 the Big Sandy, slaughtered several hundred Indians
10 in Chief Black Kettle’s village, the majority of whom
11 were women and children;

12 (2) the incident was quickly recognized as a na-
13 tional disgrace and investigated and condemned by
14 2 congressional committees and a military commis-
15 sion;

16 (3) although the United States admitted guilt
17 and reparations were provided for in article VI of
18 the Treaty of Little Arkansas of October 14, 1865
19 (14 Stat. 703) between the United States and the
20 Cheyenne and Arapaho Tribes of Indians, those
21 treaty obligations remain unfulfilled;

22 (4) land at or near the site of the Sand Creek
23 Massacre may be available for purchase from a will-
24 ing seller; and

25 (5) the site is of great significance to the Chey-
26 enne and Arapaho Indian descendants of those who

1 lost their lives at the incident at Sand Creek and to
2 their tribes, and those descendants and tribes de-
3 serve the right of open access to visit the site and
4 rights of cultural and historical observance at the
5 site.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior acting through the Di-
10 rector of the National Park Service.

11 (2) SITE.—The term “site” means the Sand
12 Creek massacre site described in section 2.

13 (3) TRIBES.—The term “Tribes” means—

14 (A) the Cheyenne and Arapaho Tribe of
15 Oklahoma;

16 (B) the Northern Cheyenne Tribe; and

17 (C) the Northern Arapaho Tribe.

18 **SEC. 4. STUDY.**

19 (a) IN GENERAL.—Not later than 18 months after
20 the date on which funds are made available for the pur-
21 pose, the Secretary, in consultation with the Tribes and
22 the State of Colorado, shall submit to the Committee on
23 Energy and Natural Resources of the Senate and the
24 Committee on Resources of the House of Representatives
25 a resource study of the site.

1 (b) CONTENTS.—The study under subsection (a)
2 shall—

3 (1) identify the location and extent of the mas-
4 sacre area and the suitability and feasibility of des-
5 ignating the site as a unit of the National Park Sys-
6 tem; and

7 (2) include cost estimates for any necessary ac-
8 quisition, development, operation and maintenance,
9 and identification of alternatives for the manage-
10 ment, administration, and protection of the area.

11 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated such sums
13 as are necessary to carry out this Act.

Passed the Senate July 17, 1998.

Attest:

Secretary.

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